

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAJZER GRYSZTAJN,

Plaintiff,

-against-

THE CITY OF NEW YORK, DETECTIVE MICHAEL
WILLIAMS Shield # 06409, SECURITY OFFICER
WILSON VEGA, HWA INC.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/5/08

STIPULATION AND ORDER
OF SETTLEMENT AND
DISCONTINUANCE

07 CV 6285 (MGC)(GWG)

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WHEREAS, plaintiff Lajzer Grynsztajn commenced this action by filing a complaint on or about July 9, 2007, alleging that defendants City of New York and Michael Williams violated his federal civil and state law rights; and

WHEREAS, defendant City of New York has denied any and all liability arising out of plaintiffs' allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. The City of New York hereby agrees to pay plaintiff Lajzer Grynsztajn and his attorney, David Zelman, Esq. the amount of **FIFTY-FIVE THOUSAND DOLLARS (\$55,000.00)** in full satisfaction of all claims, including claims for costs, expenses and attorney fees.

This amount is to be allocated as follows: (1) Plaintiff Lajzer Grynsztajn shall receive **TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00)**; and (2) Legal fees will be allocated to plaintiff's attorney, David Zelman, Esq. in the amount of **THIRTY THOUSAND DOLLARS (\$30,000.00)**.

3. In consideration for the payment of the amounts referenced in paragraph "2" above, plaintiff Lajzer Grynsztajn and his attorney, David Zelman, Esq., agree to the dismissal of all claims against the named defendants herein and to release all defendants, including the City of New York, Michael Williams, and any present or former employees or agents of the City of New York and/or the New York City Police Department, or any agency thereof, from any and all liability, claims or rights of action arising from and contained in the complaint in this action, including claims for costs, expenses and attorney's fees.

4. Plaintiff shall execute and deliver to defendant's attorney all documents necessary to effect this settlement, including, without limitation, a release based on the terms of paragraph "2" above and an Affidavit of No Liens.

5. Nothing contained herein shall be deemed to be an admission by the defendant that it has in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation and settlement shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

6. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York and the New York City Police Department.

7. This Stipulation and Order contains all the terms and conditions agreed


upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
July 24, 2008

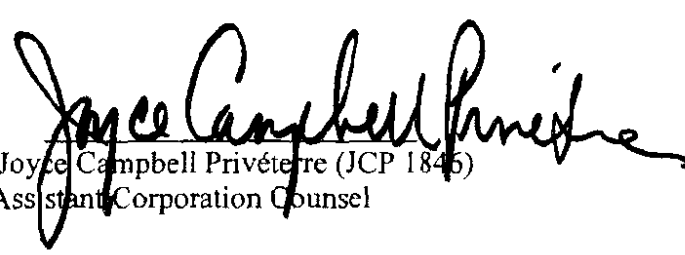
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By:


David Zelman (DZ 8578)
Attorney for Plaintiff

By:


Joyce Campbell Privette (JCP 1846)
Assistant Corporation Counsel

SO ORDERED:

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U.S.D.J.

August 5, 2008